

IN THE SENATE

SENATE BILL NO. 1285

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO FISH AND GAME; AMENDING SECTION 36-404, IDAHO CODE, TO PROVIDE THAT RESIDENT YOUTH SMALL GAME LICENSES MAY BE ISSUED TO QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A CONTROLLED HUNT TURKEY PERMIT AND TO PROVIDE A CONDITION; AMENDING SECTION 36-406, IDAHO CODE, TO REVISE PROVISIONS RELATING TO YOUTH SMALL GAME LICENSES; AND AMENDING SECTION 36-407, IDAHO CODE, TO PROVIDE THAT NONRESIDENT YOUTH SMALL GAME LICENSES MAY BE ISSUED TO QUALIFIED PERSONS WHO ARE NINE YEARS OF AGE TO ALLOW THE APPLICATION FOR A CONTROLLED HUNT TURKEY PERMIT AND TO PROVIDE A CONDITION.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-404, Idaho Code, be, and the same is hereby amended to read as follows:

36-404. CLASSES OF LICENSES. The licenses required by the provisions of this title shall be of eight (8) classes. Classes one (1) through five (5) and eight (8) in this section may be purchased or obtained only by persons who meet residency requirements under the provisions of section 36-202(s) and (t), Idaho Code, or who are valid holders of a lifetime license certificate.

Class 1: Adult Combination -- Hunting -- Fishing -- Trapping Licenses. Licenses to be issued only to persons who are residents of the state of Idaho.

Class 2: Junior Hunting -- Trapping -- Youth Small Game Licenses.

(a) Junior hunting license. Licenses to be issued only to persons who are residents of the state of Idaho and are between twelve (12) and seventeen (17) years of age, inclusive. Provided, that a license may be issued to qualified persons who are eleven (11) years of age to allow the application for a controlled hunt permit; however, said persons shall not hunt until they are twelve (12) years of age.

(b) Junior trapping licenses. Licenses to be issued only to persons who are residents of the state of Idaho and are seventeen (17) years of age or younger.

(c) Youth small game licenses. Licenses to be issued only to qualified persons who are residents of the state of Idaho and are ten (10) or eleven (11) years of age to hunt upland game birds (including turkeys), migratory game birds, cottontail rabbits, huntable furbearers, and unprotected and predatory birds and animals of this state while accompanied in the field by an adult licensed to hunt in the state of Idaho. Provided, that a license may be issued to qualified persons who are nine (9) years of age to allow the application for a controlled hunt turkey permit; however, said persons shall not hunt until they are ten (10) years of age.

Class 3: Junior Combination -- Fishing Licenses. Licenses to be issued only to persons who are residents of the state of Idaho between fourteen (14) and seventeen (17) years of age, inclusive.

1 Class 4: Senior Resident Combination License. Licenses to be issued
2 only to persons over sixty-five (65) years of age who have been bona fide
3 residents of the state of Idaho for a continuous period of not less than five
4 (5) years last preceding application.

5 Class 5: Resident Lifetime Combination -- Hunting -- Fishing License.
6 Licenses to be issued only to persons who are valid holders of a lifetime
7 license certificate.

8 Class 6: Nonresident Combination -- Hunting -- Fishing -- Trapping
9 -- Junior Mentored Hunting -- Youth Small Game -- Youth Hunter Education
10 Graduate -- Licenses. Licenses required of persons who are nonresidents.

11 Class 7: Duplicate License -- Tag. A license or tag to be issued as a
12 replacement for an original license or tag lost or mutilated. Said license
13 or tag shall be issued in the same class and type as the original and upon
14 issuance of such duplicate license or tag the original license or tag shall
15 become null and void.

16 Class 8: Resident Hunting and Fishing License with Tags, Permits
17 and Stamps. Licenses to be issued only to persons who meet residency
18 requirements under the provisions of section 36-202(s) and (t), Idaho Code.

19 SECTION 2. That Section 36-406, Idaho Code, be, and the same is hereby
20 amended to read as follows:

21 36-406. RESIDENT FISHING, HUNTING AND TRAPPING LICENSES -- FEES. (a)
22 Adult Licenses -- Combination -- Fishing -- Hunting -- Trapping. A license
23 of the first class may be had by a person possessing the qualifications
24 therein described on payment of a fee as specified in section 36-416, Idaho
25 Code, for a combined fishing and hunting license entitling the purchaser
26 to hunt and fish for game animals, game birds, unprotected and predatory
27 animals and fish of the state, a fee as specified in section 36-416, Idaho
28 Code, for a fishing license entitling the purchaser to fish in the public
29 waters of the state, a fee as specified in section 36-416, Idaho Code, for
30 a hunting license entitling the purchaser to hunt game animals, game birds,
31 unprotected and predatory animals of the state, and a fee as specified in
32 section 36-416, Idaho Code, for a trapping license entitling the purchaser
33 to trap furbearers, unprotected and predatory animals of the state.

34 (b) Junior Licenses -- Hunting -- Trapping. A license of the second
35 class may be had by a person possessing the qualifications therein described
36 on payment of a fee as specified in section 36-416, Idaho Code, for a hunting
37 license, and a fee as specified in section 36-416, Idaho Code, for a trapping
38 license entitling the purchaser to the same privileges as the corresponding
39 license of the first class provides.

40 (c) Junior Combination -- Fishing Licenses. A license of the third
41 class may be purchased by a person possessing the qualifications therein
42 described on payment of a fee as specified in section 36-416, Idaho Code, for
43 a combined fishing and hunting license, and a fee as specified in section
44 36-416, Idaho Code, for a fishing license entitling the purchaser to the same
45 privileges as the corresponding license of the first class provides.

46 (d) Senior Resident Combination. A license of the fourth class may be
47 had by a person possessing the qualifications therein described on payment
48 of a fee as specified in section 36-416, Idaho Code, for a combined fishing

1 and hunting license entitling the purchaser to the same privileges as the
2 corresponding license of the first class provides.

3 (e) Lifetime Licenses -- Combination -- Hunting -- Fishing. A license
4 of the fifth class may be obtained at no additional charge by a person
5 possessing the qualifications therein described for a combined hunting and
6 fishing license, for a hunting license, or for a fishing license, entitling
7 the person to the same privileges as the corresponding license of the first
8 class provides. Lifetime licensees must be certified under the provisions
9 of section 36-413, Idaho Code, before being issued a license to hunt.

10 (f) A license of the eighth class may be had by a person possessing
11 the qualifications therein described on payment of a fee as specified in
12 section 36-416, Idaho Code, entitling the purchaser to hunt and fish for
13 game animals, game birds, fish, and unprotected and predatory animals of the
14 state. With payment of the required fee, a person shall receive with this
15 license a deer tag, an elk tag, a bear tag, a turkey tag, a mountain lion tag,
16 an archery hunt permit, a muzzleloader permit, a steelhead trout permit and
17 an anadromous salmon permit. The director shall promptly transmit to the
18 state treasurer all moneys received pursuant to this subsection for deposit
19 as follows:

20 (i) Four dollars (\$4.00) in the set-aside account for the purposes of
21 section 36-111(1)(a), Idaho Code;

22 (ii) Two dollars (\$2.00) in the set-aside account for the purposes of
23 section 36-111(1)(b), Idaho Code;

24 (iii) One dollar and fifty cents (\$1.50) in the set-aside account for
25 the purposes of section 36-111(1)(c), Idaho Code; and

26 (iv) The balance in the fish and game account.

27 All persons purchasing a license pursuant to this subsection shall
28 observe and shall be subject to all rules of the commission regarding the
29 fish and wildlife of the state.

30 If the purchaser of this license does not meet the archery education
31 requirements of section 36-411(b), Idaho Code, then, notwithstanding the
32 provisions of section 36-304, Idaho Code, the archery hunt permit portion
33 of this license is invalid. The fee for this license will not change and the
34 license must be issued without the archery permit validation.

35 (g) Disabled Persons Licenses -- Combination -- Fishing. A license of
36 the first class may be had by any resident disabled person on payment of a
37 fee as specified in section 36-416, Idaho Code, for a combined fishing and
38 hunting license, and a fee as specified in section 36-416, Idaho Code, for
39 a fishing license, entitling the purchaser to the same privileges as the
40 corresponding license of the first class provides. A disabled person means
41 a person who is deemed disabled by one (1) or more, but not necessarily all,
42 of the following: the railroad retirement board pursuant to title 45 of
43 the United States Code, or certified as eligible for federal supplemental
44 security income (SSI); or social security disability income (SSDI); or a
45 nonservice-connected veterans pension; or a service-connected veterans
46 disability benefit with forty percent (40%) or more disability; or certified
47 as permanently disabled by a physician. Once determination of permanent
48 disability has been made with the department, the determination shall remain
49 on file within the electronic filing system and the license holder shall not

1 be required to present a physician's determination each year or prove their
2 disability each year.

3 (h) Military Furlough Licenses -- Combination -- Fishing. A license
4 of the first class may be had by a resident person engaged in the military
5 service of the United States, while on temporary furlough or leave,
6 possessing the qualifications therein described on payment of a fee as
7 specified in section 36-416, Idaho Code, for a combined fishing and hunting
8 license, and as specified in section 36-416, Idaho Code, for a fishing
9 license.

10 (i) Youth Small Game Licenses -- Hunting. A license of the second
11 class may be had by a ~~resident of ten (10) or eleven (11) years of age~~ person
12 possessing the qualifications therein described on payment of a fee as
13 specified in section 36-416, Idaho Code, provided that the license shall
14 be valid only for hunting upland game birds (including turkeys), migratory
15 game birds, cottontail rabbits, huntable furbearers, and unprotected and
16 predatory birds and animals of this state while accompanied in the field by
17 the holder of an adult Idaho hunting license.

18 SECTION 3. That Section 36-407, Idaho Code, be, and the same is hereby
19 amended to read as follows:

20 36-407. NONRESIDENT COMBINATION, FISHING, HUNTING, AND TRAPPING
21 LICENSES -- FEES -- RIGHTS UNDER. Licenses of the sixth class shall be issued
22 to nonresidents in the several kinds and for fees as follows:

23 (a) Nonresident Hunting License. A license issued only to a person
24 twelve (12) years of age or older entitling said person to pursue, hunt,
25 or kill game birds, small game animals, unprotected birds and animals and
26 predatory birds and animals and to purchase game tags as provided in section
27 36-409(b), Idaho Code. Provided, that a license may be issued to qualified
28 persons who are eleven (11) years of age to allow the application for a
29 controlled hunt permit; however, said persons shall not hunt until they are
30 twelve (12) years of age. A license of this kind may be had upon payment of a
31 fee as specified in section 36-416, Idaho Code.

32 (b) Nonresident Season Fishing License. A license entitling a person
33 to fish in the public waters of the state. A license of this kind may be had
34 upon payment of a fee as specified in section 36-416, Idaho Code.

35 (c) Nonresident Trapping License. A license entitling a person to trap
36 fur-bearing, unprotected, and predatory animals. A license of this kind
37 may be had upon payment of a fee as specified in section 36-416, Idaho Code,
38 providing the state of residence of said person grants similar trapping
39 license privileges to residents of Idaho.

40 (d) Nonresident Nongame License. A license entitling a person to carry
41 a shotgun or rifle for the protection of livestock, or to pursue, hunt and
42 kill unprotected birds and animals and predatory birds and animals of this
43 state. A license of this kind may be had by a nonresident person who is twelve
44 (12) years of age or older upon payment of a fee as specified in section
45 36-416, Idaho Code. This license shall be valid only during the period of
46 January 1 to August 31 of the calendar year in which issued, unless verified
47 by the director that the licensee requires such a license to authorize him to
48 carry a shotgun or rifle for the protection of livestock, in which case said
49 license shall be valid until December 31 of the year in which issued.

1 (e) Nonresident Small Game Hunting License. A license issued only to a
2 person twelve (12) years of age or older, entitling the person to hunt upland
3 game birds (to include turkeys), migratory game birds, cottontail rabbits,
4 huntable furbearers, and unprotected and predatory birds and animals of
5 this state. A person holding this license shall purchase the appropriate
6 required tags and permits, and may not hunt pheasants in an area during the
7 first five (5) days of the pheasant season in that area. A license of this
8 type may be had upon payment of a fee as specified in section 36-416, Idaho
9 Code.

10 (f) Falconry Meet Permit. The director may issue a special permit for a
11 regulated meet scheduled for a specific number of days upon payment of a fee
12 as specified in section 36-416, Idaho Code. Only trained raptors may be used
13 under the special permit issued under the provisions of this subsection.

14 (g) Daily Fishing License -- Resident May Purchase. A license
15 entitling a person to fish in the waters of the state on a day-to-day basis.
16 A license of this kind may be had by a resident or nonresident person (the
17 provisions of section 36-405, Idaho Code, notwithstanding), upon payment of
18 a fee as specified in section 36-416, Idaho Code, for the first effective day
19 and a fee as specified in section 36-416, Idaho Code, for each consecutive
20 day thereafter.

21 (h) Nonresident Three Day Fishing License with Steelhead or Salmon
22 Permit. A license entitling a nonresident to fish in the waters of the
23 state for a period of three (3) consecutive days for any fish, including
24 steelhead trout or anadromous salmon during an open season for those fish
25 may be had upon payment of a fee as specified in section 36-416, Idaho
26 Code. The three (3) day license holder may fish for any species of fish,
27 steelhead trout and anadromous salmon subject to the limitations prescribed
28 in rules promulgated by the commission. A nonresident may purchase as many
29 of the licenses provided in this subsection as he desires provided that the
30 nonresident is otherwise eligible to do so.

31 (i) Nonresident Junior Fishing License. A license entitling a
32 nonresident who is less than eighteen (18) years of age to fish in the waters
33 of this state may be had upon payment of a fee as specified in section 36-416,
34 Idaho Code.

35 (j) Nonresident Combination Licenses. A license entitling the person
36 to hunt and fish for game animals, game birds, fish and unprotected and
37 predatory animals of the state may be had by a person twelve (12) years of age
38 or older upon payment of a fee as specified in section 36-416, Idaho Code. A
39 license may be issued to a qualified person who is eleven (11) years of age
40 to allow the application for a controlled hunt permit; however, the person
41 shall not hunt until he is twelve (12) years of age.

42 (k) Nonresident Junior Mentored Hunting License. A license entitling a
43 nonresident between twelve (12) and seventeen (17) years of age, inclusive,
44 to hunt game animals, upland game birds (including turkeys), migratory game
45 birds, cottontail rabbits, and unprotected and predatory birds and animals
46 of this state only when accompanied in the field by the holder of an adult
47 Idaho hunting license. A person holding this license shall purchase the
48 appropriate required tags as provided in section 36-409(b), Idaho Code, and
49 permits. Provided, that a license may be issued to qualified persons who
50 are eleven (11) years of age to allow the application for a controlled hunt

1 permit; however, said persons shall not hunt until they are twelve (12) years
2 of age. A license of this kind may be had upon payment of a fee as specified
3 in section 36-416, Idaho Code.

4 (1) Nonresident Youth Small Game Licenses -- Hunting. A license
5 entitling a nonresident of ten (10) or eleven (11) years of age to hunt
6 upland game birds (including turkeys), migratory game birds, cottontail
7 rabbits, huntable furbearers, and unprotected and predatory birds and
8 animals of this state only while accompanied in the field by the holder of
9 an adult Idaho hunting license may be had upon payment of a fee as specified
10 in section 36-416, Idaho Code. Provided, that a license may be issued to
11 qualified persons who are nine (9) years of age to allow the application for
12 a controlled hunt turkey permit; however, said persons shall not hunt until
13 they are ten (10) years of age.

14 (m) Youth Hunter Education Graduate Licenses -- Hunting -- Resident
15 May Purchase. A license entitling a person between ten (10) and seventeen
16 (17) years of age, inclusive, to hunt upland game birds (except turkeys),
17 migratory game birds, cottontail rabbits, huntable furbearers, and
18 unprotected and predatory birds and animals of this state only when
19 accompanied in the field by the holder of an adult Idaho hunting license.
20 A person holding this license shall purchase the appropriate required
21 permits. A license of this kind may be issued to a resident or nonresident
22 person, notwithstanding the provisions of section 36-405, Idaho Code, upon
23 payment of a fee as specified in section 36-416, Idaho Code.